

**CITY OF ROCKVILLE PLANNING DIVISION
STAFF REPORT**

August 2, 2006

SUBJECT: Detailed Application PRU2006-0022B

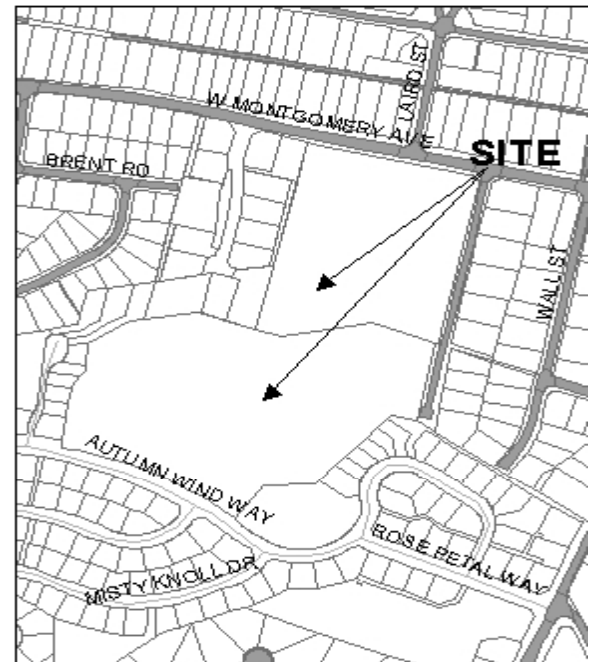
Applicant: Chestnut Lodge Properties, Inc., c/o Miller,
Miller & Canby

Date Filed: May 22, 2006

Location: 500 West Montgomery Avenue; east of
Henson Oaks Lane, south side of West
Montgomery Avenue, west side of Thomas
Street and north side of Autumn Wind Way

REQUEST:

To approve the demolition portion of the Construction Phasing Plan as required in the approved Resolution (Resolution No. 3-06, Attachment #5) for Exploratory Application PRU2005-00022 in order to allow the applicant to proceed with demolition of the non-historic structures and the Upper Cottage, non-historic wings of the Main Lodge building, as well as removal of the Icehouse, and Stable.



RELEVANT ISSUES

In reviewing the application, the following issues emerged and have been resolved:

- Demolition of the historic structures prior to Site Plan Development Detailed Application approval - The PRU Resolution requires a Construction Phasing Plan be approved with the first Detailed Application. However, in order to allow demolition of certain non-historic buildings proceed as soon as possible, staff suggested that the applicant separate the demolition portion of the Construction Phasing Plan from the Site Development portion of the Plan. Therefore, the applicant submitted a detailed account of the demolition required on site, and access ways both inside and from outside the site. In addition, the applicant submitted a general account of how the site will develop with more specifics to be approved at the Site Plan Detailed Application (PRU2006-0022A). Therefore, the applicant could start demolition of the non-historic buildings. Staff has also recommended a condition (Condition #10) that the

applicant not be permitted to demolish the historic buildings until Planning Commission approves the Site Plan development.

- Access to and from the site during demolition – Staff reviewed the applicant's request to use Thomas Street for access during demolition, and instead has recommended the use of existing access to the site at the intersection of Laird Street and West Montgomery Avenue for heavy traffic during the demolition phase. However, construction workers' personal vehicles could use Thomas Street for additional access to the parking lot located off of it. These requirements are part of the conditions (Condition #4) of approval.

BACKGROUND

Approved Planned Residential Unit development resolution

In February 2006, the Mayor and Council approved the construction of 36 new homes, the rehabilitation of the Main Lodge including alterations, Little Lodge and Rose Hill Barn and the reconstruction the Icehouse and Stable. They also will to convey Frieda's Cottage to Peerless Rockville for use as a single-family dwelling. In addition, the large tract of land in the front portion of the site will be maintained by the HOA for the community. The Main Lodge will be converted to seven condominiums, with three in the new addition and the other four in the historic portion. The renovated Little Lodge will be a single family detached home and the reconstructed Stable will be its accessory structure. The Rose Hill Barn will be converted to an accessory structure for one of the new single-family detached homes. While the final location of the Icehouse has yet to be determined, it will also be an accessory structure to either the Main Lodge or Little Lodge.

The approved PRU includes an internal road that will have one access point using the existing entrance at the intersection of West Montgomery Avenue and Laird Street. An emergency access will be provided from the internal road to Autumn Wind Way. Fire and rescue squad will only use this access point in order to enter or exit the site. However, a future connection could be installed with the approval of the Rose Hill and Chestnut Lodge Homeowners Associations (HOAs) and the City of Rockville.

The applicant is required to install the buffers that were proposed in the *Chestnut Lodge Guidelines*, which was adopted in 2002 by the Mayor and Council. A 10-foot buffer will be installed along the rear portion of the property abutting the homes on Tall Grass Court, Henson Oaks Lane, and Autumn Wind Way. A 20-foot buffer will be replanted along the right-of-way of Autumn Wind Way.

The applicant is required to do off-site improvements to the sidewalk, curb and gutter along the west side of Laird Street from West Montgomery Avenue to Anderson Avenue; east side of Luckett Street from Anderson Avenue to Beall Avenue; and along Harrison Street between Forest Avenue and North Van Buren Street. In addition, they are required to install sidewalk,

curb and gutter along the east side of Thomas Street. These improvements will be phased, and a schedule will be developed during the Site Plan Development Detailed Application (PRU2006-0022A).

Historic District Commission (HDC) Courtesy Review

The applicant has been before the HDC on multiple occasions since filing the Exploratory Application. In July 2005, the HDC approved the demolition of the Upper Cottage with conditions including that the demolition not occur until approval of the Detailed Application. In addition, the applicant had a courtesy review of the Exploratory Application and the proposed additions and alterations to the Main Lodge. More recently, the applicant has submitted for approval of the construction of new single-family homes on lots in the Rose Hill Historic District, and courtesy reviews of the proposed work on the remaining historic buildings. In July 2006, the HDC also approved the entrance feature, which will be located at the main entrance opposite Laird Street. The applicant must go back to the HDC to discuss the final location of the Icehouse.

Request for approval in this Detailed Application

One of the major conditions of the Exploratory Application Resolution approval is for the applicant to submit a Construction Phasing Plan for review and approval by the Planning Commission. This plan is required to include the schedule of demolition and development of the site. The applicant is requesting approval of the demolition phase of the Construction Phasing Plan and the use of the existing internal driveways for demolition of the non-historic and historic buildings on the site.

Construction Phasing Plan

In the approved Resolution, the Mayor and Council required the Planning Commission to approve a Construction Phasing Plan. This Construction Phasing Plan is to show the schedule of events that will occur on-site, including but not limited to the demolition of existing buildings and the rehabilitation of the historic buildings. The applicant has submitted a specific Demolition Phasing Plan and a more general Site Plan Development Construction Phasing Plan. The general Site Plan Development Construction Phasing Plan will provide insight of the order that will take place as to the construction and rehabilitation of the buildings on-site. A more detailed Site Plan Development Construction Phasing Plan will be submitted and reviewed at the time of the second Detailed Application (PRU2006-0022A), which will also include the Site Plan Development Plans.

Demolition of Non-Historic and Historic buildings

The applicant is proposing to demolish the non-historic buildings (Part A as shown on Attachment #) prior to the site plan development Detailed Application. This demolition could take three to four months and therefore, the applicant has submitted a Demolition Phasing Plan.

While the Demolition Phasing Plan includes both the non-historic and historic buildings (Part B as shown on Attachment #1), staff has recommended a condition that the applicant (Condition #10) demolish only the non-historic buildings. The historic buildings approved for demolition (Part B) will be demolished only after the Site Plan Development Detailed Application has been approved. The approval of the phasing for demolition of the historic structures at this time will allow staff to review the demolition permits prior to the Planning Commission approval for the second Detailed Application. However, if the applicant does not pursue for the Detailed Application for the site plan, these structures will remain on the site. The applicant has requested this to allow the project to continue moving forward.

After the Planning Commission has approved the Site Plan Development for Detailed Application (PRU2006-0022A), the applicant proposes to demolish the Upper Cottage, Stable, the one-story east wing on the Main Lodge and dismantling of the Icehouse (Attachment #1).

Circulation within the Site

The applicant proposes to use the existing internal driveways that currently are on-site for the demolition phase. These driveways will be used for the non-historic buildings in the rear of the property and will not affect any of the historic buildings on the site. The applicant will also use the existing ingress/egress opposite Laird Street at West Montgomery Avenue for all of the large trucks.

Hauling Map

The applicant has provided (Attachment #3) a hauling map route for removing the debris from the site and bringing equipment and materials to the site. This map shows the applicant using state roads during the demolition of the buildings. The applicant proposes to use MD 28, Hungerford Road, Interstate 270, Shady Grove Road and Route 355.

Parking, staging and sales and construction trailer

The applicant is proposing on-site parking for construction workers' personal vehicles, a staging area for materials and one sales trailer and one construction trailer. Currently, there are tennis courts that are located on the eastern side of the property, adjacent to Thomas Street. These tennis courts will be used for the parking of construction workers' personal vehicles, a sales trailer and customer parking for the sales trailer. The sales trailer will be used for the selling of homes on this property. Access to the tennis courts will be from Thomas Street. No heavy construction vehicles will be using Thomas Street during the demolition period.

The applicant also proposes three staging areas and construction trailer on-site. The staging areas, as shown on the demolition plan (Attachment #2) will have one in the historic area, another behind the Upper Cottage and a third in the rear portion of the property. These staging areas will provide a location for materials that will be used for the site during demolition. In

addition, a construction trailer will be located on-site for use of the construction manager. This trailer will move to different locations throughout the site development process.

Forestry

In addition to the submission of the demolition portion of the Construction Phasing Plan, the applicant has submitted a Forest Conservation Plan (FCP) for the demolition portion. This plan shows the trees that will be removed, the limits of disturbance and location of fencing for protection of the trees on-site. The applicant must submit a revised FCP for the overall development of the site during the review of the Site Plan Development Detailed Application, or construction phase.

ANALYSIS

The applicant is requesting approval of the demolition portion of the Construction Phasing Plan as required in the PRU Resolution, and for the use of the existing internal driveways during the demolition phase. The applicant has represented that this approval is needed to keep the project moving forward. Normally, any owner of a property can demolish a building if it is not considered historic by the HDC; however, the PRU resolution (Attachment #5) requires the applicant provide a Construction Phasing Plan. The applicant has submitted this plan with a more detailed demolition plan and a more general Construction Phasing Plan. The applicant's demolition phasing plan includes the order of demolition of the buildings, the location of a sales trailer and three staging areas for materials. It also shows where entrance to the site will be, the interior circulation of the site, along with hauling routes for construction vehicles accessing the site.

Staff has reviewed the attached "Schedule of Demolition and Construction" plan and finds it sufficient for the Demolition portion. The demolition portion of the Construction Phasing Plan is intended to minimize any adverse effects on the residents on Thomas Street or in the Rose Hill and Thirty Oaks neighborhoods. No construction vehicles will be permitted on Thomas Street, Autumn Wind Way or Henson Oaks Lane. The only vehicles that will be permitted to use Thomas Street during demolition will be the construction workers' personal vehicles. Staff has provided a condition (Condition #4) to address the routes for construction vehicles on neighboring streets.

The applicant proposes to use the existing internal driveways during demolition on-site. No additional paving will be necessary. If the roads do deteriorate, then the Sediment Control Inspector will ask the applicant to stabilize the driveways in order for them not to become muddy and hazardous.

In addition, the City Forester has required (Condition #8) that the applicant bond for any trees that will be removed during the demolition and construction of the site. Also, the City Forester does not believe the staging area located in the historic area will have an impact on the trees; however, some adjustment to the Limits of Disturbance may be done in order to ensure this.

Therefore, staff recommends the approval of the Demolition portion of the Construction Phasing Plan and the use of the existing internal driveways as construction routes.

STAFF RECOMMENDATION

Staff recommends approval of the Demolition portion of Construction Phasing Plan and use of the internal road system, with the following conditions.

1. Submission, for approval by the Chief of Planning, eleven (11) copies of the demolition site plan as shown to and revised (if necessary) according to the Planning Commission actions on August 9, 2006.
2. Obtain Sediment Control and Public Works Permits and post bonds prior to commencement of demolition work.
3. Disconnection of services/utilities at the right-of-way is acceptable as part of the demolition work, provided final disconnection of services/utilities is completed to the satisfaction of the Department Of Public Works (DPW) (and other applicable agencies) during site construction.
4. No construction vehicles (as defined by the Maryland Motor Vehicle Department, "Commercial Motor Vehicle" definition, [Attachment #4]) will be allowed to use Thomas Street during demolition (Phase A and Phase B).
5. Applicant shall comply with all conditions detailed in the Stormwater Management Concept approval letters dated June 8, 2005 and June 21, 2005, as may be amended by the DPW.
6. Submit detailed engineering plans for approval by the DPW for sediment control and stormwater management and public works improvements prior to issuance of the first demolition permit.
7. No mass grading will be permitted during demolition. Only grading incidental and necessary to the demolition of each building will be permitted during the demolition phase
8. The City Forester requires the following before the demolition can begin on-site:
 - a. Issuance of a Forestry Permit.
 - 1) Approval of a Forest Conservation Plan (FCP).
 - 2) Post tree replacement bond for all significant trees not being protected.
 - 3) Plan must be in substantial conformance with proposed overall FCP. Tree preservation requirements must be met on-site and this plan must protect all required trees.

- b. Approval of this plan is subject to approval of PRU2006-0022A. This plan may need to be modified based upon the above approval.
9. The applicant must comply with hauling map as shown to the Planning Commission at its August 9, 2006 meeting. Any modifications to the plan must be submitted in writing to the Chief of Planning for review and approval.
10. Planning Commission approval for the Site Plan Development Detailed Application (PRU2006-0022A) is required prior to demolition permits being issued for any historic buildings approved for demolition by the HDC.
11. Notify in writing the City of Rockville Preservation staff 30 days prior to demolition of the Doctor's Office building and allow them to access it.
12. All historic buildings are required to get an HDC Certificate of Approval that includes final and complete rehabilitation plans for to issuance of any demolition permit.

NOTIFICATION

Notices were sent to approximately 510 nearby residents. Letters were also sent to the presidents of the West End Citizens Association, Rose Hill HOA, Rose Hill Falls Community Association and Thirty Oaks HOA.

ATTACHMENTS:

1. Demolition Phasing Schedule
2. Demolition Plans
3. Hauling Map
4. "Information for the Commercial Driver"
5. Approved PRU Resolution

PREVIOUS RELATED MEETINGS:

February 20, 2001	HDC recommends Chestnut Lodge site to be designated as a local historic site.
2002	Mayor and Council designate the Chestnut Lodge site as a local historic site.
July 17, 2003	HDC worksession with current property owner for site design.
December 18, 2003	HDC Evaluation for significance the Activities building.
January 15, 2004	HDC Evaluation for significance the Activities building. Makes a recommendation for designation to the Mayor and Council.
2004	Mayor and Council do not designate the Activities building for significance.
May 24, 2004	Mayor and Council adopt Chestnut Lodge Design Guidelines.
July 21, 2005	Courtesy review of the Exploratory Application and alterations and additions to the Main Lodge. HDC approves the demolition of the Upper Cottage subject to conditions (HDC2005-00336).
September 15, 2005	Planning Commission recommended to the Mayor and Council approval of the Planned Residential Unit development PRU2005-00022 subject to conditions.
September 26, 2005	Public hearing for the Planned Residential Unit development PRU2005-00022.
November 28, 2005	Discussion and Instruction for the Planned Residential Unit development PRU2005-00022.
January 9, 2006	Discussion and Instruction for the Planned Residential Unit development PRU2005-00022.

February 6, 2006

Mayor and Council approved a resolution (PRU2005-00022) for 36 new single family detached homes, 7 condominiums in the Main Lodge, the rehabilitate the Little Lodge for single family home use, reconstruct the stable and Rose Hill Barn as accessory structures, remove the Upper Cottage and convey to Peerless Rockville Frieda's Cottage.

June 15, 2006

HDC approves construction of new single-family residences on Lots 10, 11, 12, and 14 located in the Rose Hill Historic District (HDC2006-00360).

HDC does courtesy reviews of the Site Plan Detailed Application, including rehabilitation work and the Construction Phasing Plan.

July 20, 2006

HDC approves the entrance feature/wall at the intersection of Laird Street and West Montgomery Avenue (HDC2006-00363).

HDC does courtesy reviews of the rehabilitation of the Stable and rehabilitation and addition of the Little Lodge.